

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 7**

In the Matter of:

**Maple-Drake Real Estate LLC,
d/b/a Notting Hill of West Bloomfield**

Employer

And

Cases 07-RD-282049

SEIU Healthcare Michigan,

Union

And

Khristina Hurst,

An individual

_____ /

OBJECTIONS TO REPRESENTATION ELECTION

Pursuant to Section 102.69(a) of the Board's Rules and Regulations, the Employer, Maple-Drake Real Estate LLC, d/b/a Notting Hill of West Bloomfield, by and through its counsel, hereby submits the following objections to the election in the above referenced matter:

BACKGROUND

1. On or about August 26, 2021 the petition in the aforementioned matter was filed;
2. On or about August 27, 2021 the Region served a copy of the Petition and a Notice of Representation proceedings on the parties;
3. The initially scheduled September 17, 2021 9:30 a.m. hearing was originally rescheduled for September 20, 2021;
4. Following the parties September 20, 2021 hearing the Acting Regional Director issued her Decision and Direction of Election on October 8, 2021, which ordered a mail ballot election;

5. Pursuant to the Decision and Direction of Election, ballots were mailed to employees employed in the appropriate collective bargaining unit by personnel of the Region on October 25, 2021;
6. At 2 pm on Monday, November 29, 2021 all ballots were co-mingled and
7. Approximately forty-six (46) individuals were eligible to vote.
8. The election resulted in approximately twenty-four (24) ballots being cast (twelve in support of SEIU Healthcare Michigan, nine (9) case against that labor organization, and three (3) challenged ballots).
9. Approximately twenty-two (22) individuals did not vote, which was approximately 48% of those eligible.

OBJECTIONS

1. On or about October 11, 2021, agents of SEIU Healthcare Michigan unlawfully picketed the Employer's healthcare facility for the purposes related to its opposition to an employee decertification effort. This occurred during the critical period following the Regional Director's Decision and Direction of Election and the date upon which ballots were mailed and interfered with the laboratory conditions required for an election. At a minimum, the aforementioned conduct restrained and coerced eligible voters and improperly created the inaccurate impression that the Union could picket the employer at will, without complying with the Act's notice requirements.
2. Despite notice regarding the need for election notices and ballots to be translated into Arabic and Greek, the Region failed to provide ballots, ballot instructions or notices in either Arabic or Greek translations. This denied eligible employees the information necessary to successfully cast an informed vote and contributed to the Region's decision to void certain ballots.

CONCLUSION

WHEREFORE, the Employer objects to the recent election on the basis that the aforementioned conduct destroyed the laboratory conditions necessary for a free and fair election. The aforementioned objectionable conduct denies the Employer the ability to rely on the election results as confirmation that the majority of the staff of the bargaining unit continue to desire to be represented by the Union.

WHEREFORE, the Employer respectfully requests the Regional Director sustain its objections and, at a minimum, order that a new election be held.

Respectfully submitted,

BARNES & THORNBURG LLP

Attorneys for Maple-Drake Real Estate LLC, d/b/a Notting
Hill of West Bloomfield



Dated: December 6, 2021

By: _____
Grant T. Pecor (P55187)

BUSINESS ADDRESS:

171 Monroe, N.W., Ste. 1000
Grand Rapids, MI 49503
(616) 742-3930